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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/599,359

05/29/2007

Paul C. Burke

4240-079

7297

62549

7590

09/08/2011

IP Advisors

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EXAMINER

LE, MARK T

ART UNIT

PAPER NUMBER

3617

MAIL DATE

DELIVERY MODE

09/08/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/599,359	Applicant(s) BURKE ET AL.	
	Examiner MARK LE	Art Unit 3617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3 and 5-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 5-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
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| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to the RCE, filed August 22, 2011.

Applicant's amendments and remarks have been carefully considered.

2. Claim 1, 3 and 5-7 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, the instant claimed limitations: The multi-conductor cable "may be coiled and uncoiled in response to a change from the first configuration to the second configuration" and "the uncoiled portion of the multi-conductor cable is at least approximately the distance between the first row of seats and the second row of seats" are not supported by the originally filed disclosure. Note that the original disclosure does not have a clear support for the length of the cable corresponding to the distance between the first and second rows of seats.

3. Claim 1, 3 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (US 2003/0042097) in view of Martin (US 4,856,738) and Smith (US 4,713,497).

Lee discloses a cable system having features similar to that recited in the instant claims, including a row of seats 10, multi-conductor cable 18, first and second connectors 34, 42, and cable storage unit 14 comprising housing 26 and reel 22. It is noted that Lee does not show a second row of seats being adjustable between first and second selectable configurations.

Martin discloses an aircraft, wherein there are multiple rows of seats that are adjustable to accommodate varying passenger capacities.

In view of Martin, it would have been obvious to one of ordinary skill in the art to include in the seat arrangement of Lee a plurality of rows of seats that are adjustable, in a manner similar to that taught by Martin, to accommodate varying passenger capacities.

Regarding the cable being manually coiled or manually uncoiled, as recited in instant claim 1, consider the structure of Smith, Figs. 6 and 7, wherein the cable storage device may be optionally made for manual operation. In view of Smith, it would have been obvious to one of ordinary skill in the art to alternatively make the cable storage device of Lee for manual operation so as to avoid the need for a biasing spring that may lose its capability overtime.

Regarding the instant claimed limitation relating to the cable length, note that the cable length of Lee is considered to be suitable for the use by a person on the seat where the cable storage device is mounted or by a person seating behind said seat.

Regarding the instant claimed housing being configured to be mounted underneath of at least one of the passenger seats, note that since the cable storage unit of Lee has a configuration that it is capable of being mounted at another location, such as underneath of at least one passenger seats, the instant claimed limitation is considered met.

As to Applicant's intention of claiming a length of cable that is long enough to extend a distance between the rows of seats, note that even if the wordings of the

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instant claims were amended to be more specifically in line with Applicant's intention, such feature would not be considered as patentably significant because it basically involves with generally simple tasks of (1) choosing a convenient location for mounting a cable storage device, and (2) selecting an adequate cable length to reach a nearby user. Such tasks appear to require no more than a level of common sense of one ordinary skilled in the art. Note that the placement of the cable storage device and the cable length in the original structure of Lee obviously requires such tasks, and when one of ordinary skill in the art has a desire to mount the cable storage device of Lee at another convenient location in the seat, it would have been obvious to one of ordinary skill in the art to use his common sense to select a suitable length for the cable in the cable storage device for use by a nearby user.

Regarding the instant claimed type of connectors, or type of cables, as recited in instant claims 5 and 6, note that DIN connectors and Ethernet conductors are well known types of connectors and cables for use with well known electronic devices and/or computers (Official Notice is taken). Accordingly, it would have been obvious to one of ordinary skill in the art to substitute well known a type of connectors and/or conductors, such as the well known DIN connectors and/or Ethernet conductors, for the connectors and/or conductors of Lee's structure and to configure the cable storage device of Lee so as to be more suitable to accommodate the same such that the cable storage device of Lee is suitable for use other commercially available electronic devices and/or computers that would require such well known types of connectors and/or conductors.

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4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant should consider for example, Milano (US 2004/0149533), para. [0074]; wherein, DIN connectors or another different type of known connectors and cables can be used in the cable storage device of Milano to configure it to be suitable with another type of electronic devices. Milano provides a clear support for the above Official notice regarding the well known cable connectors and/or conductors.

5. Responses to Applicant's Arguments:

In arguing against the new matter rejection set forth above, Applicant points out paras. [0005], [0016] and [0017]; however, it appears that these paragraphs only provide a description of an environment or a circumstance wherein the above indicated features of new matters may be useful or could be adapted to fit the need rather than they are the inherent features. To fully support the instant claimed features, the original disclosure must provide either a clear description of the features or the features must be inherent.

Applicant's arguments against Lee and Martin have also been considered, but are not persuasive because the arguments appear to address Lee and Martin individually, instead of in combination as set forth in the above ground of rejection, wherein Lee, as modified in view of the teaching of Martin and further in view of the teaching of Smith, includes all features defined in the instant claims.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK LE whose telephone number is (571)272-6682. The examiner can normally be reached on Mon-Fri (Teleworking).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samuel Morano can be reached on 571-272-6684. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mark Tuan Le
Primary Examiner
Art Unit 3617

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